

DAC
IFW



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On March 23, 2006

TOWNSEND and TOWNSEND and CREW LLP

By: Marta Vaneiga

PATENT
Docket No.: 19941A-000300US
Client Ref. No.: WA-0436 US(PCT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

YAMASHITA, et al.

Patent No.: 6,919,372

Issued: July 19, 2005

Application No.: 09/582,404

Filed: June 23, 2000

For: SUSTAINED-RELEASE
PHARMACEUTICAL COMPOSITION

Examiner: A. Pryor

Art Unit: 1616

REQUEST TO CORRECT THE
ASSIGNEE UNDER 37 CFR 3.81(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby request that the Assignee information be corrected on the face of U.S. Patent No. 6,919,372, issued to YAMASHITA, et al. on July 19, 2005.

Applicants respectfully submit that due to an inadvertent oversight in providing complete data in item 3 of form PTOL-85B (Issue Fee Transmittal Form), one of the actual Assignees of the subject patent was omitted from the issued patent.

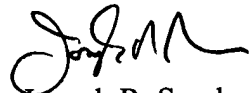
Enclosed please find a copy of the Notice of Recordation of Assignment, indicating that the Assignment to Yamanouchi Pharmaceutical Co., Ltd. and TORAY INDUSTRIES, INC. was recorded on June 23, 2000, at Reel/Frame 010991/724.

In view of the foregoing, Applicants respectfully request that TORAY INDUSTRIES, INC. be added as an Assignee to the face of the subject patent.

Furthermore, Applicants respectfully request that the file be forwarded to the USPTO's Certificate of Correction Branch, for issuance of a Certificate of Correction, if the present Request is granted.

Applicants also enclosed herewith a Fee Transmittal Form (PTO/SB/17(i)) for the processing fee set forth in 37 CFR 1.17(i). Accordingly, please charge the processing fee of \$130 to the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,


Joseph R. Snyder
Reg. No. 39,381

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
JS:mrv

TRANSMITTAL FORM

MAR 27 2006

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

14

Application Number

09/582,404

Filing Date

June 23, 2000

First Named Inventor

Yamashita, Noboru

Art Unit

1616

Examiner Name

A. Pryor

Attorney Docket Number

19941A-000300US

ENCLOSURES (Check all that apply)

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement

<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation
<input type="checkbox"/> Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____
<input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Request to Correct the Assignee Under 37 CFR 3.81(b)
Copy of Recorded Assignment
Return Postcard |
|---|--|---|

Remarks

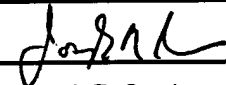
The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Townsend and Townsend and Crew LLP

Signature



Printed name

Joseph R. Snyder

Date

March 23, 2006

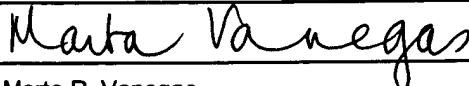
Reg. No.

39,381

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

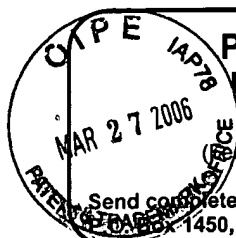


Typed or printed name

Marta R. Vanegas

Date

March 23, 2006



PROCESSING FEE Under 37 CFR 1.17(i) **TRANSMITTAL**

(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	09/582,404
Filing Date	June 23, 2000
First Named Inventor	Yamashita, Noboru
Art Unit	1616
Examiner Name	A. Pryor
Attorney Docket Number	19941A-000300US

Enclosed is a paper filed under 37 CFR §3.81(b) that requires a processing fee (37 CFR 1.17(i)).
Payment of \$ 130 is enclosed.

This form should be included with the above-mentioned paper and faxed or mailed to the Office using the appropriate Mail Stop, if applicable. For transmittal of petition fees under 37 CFR 1.17(f), (g) or (h), see form PTO/SB/17p.

Payment of Fees (small entity amounts are NOT available for the processing fees)

☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 20-1430:

☒ processing fee under 37 CFR 1.17(i) ☒ any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ _____ is enclosed.

☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

Processing Fees under 37 CFR 1.17(i): Fee \$130 Fee Code 1808 for all, Except for § 1.221 papers (Fee Code 1803)

For papers filed under:

§ 1.28(c)(3) - for processing a non-itemized fee deficiency based on an error in small entity status.

§ 1.41 - for supplying the name or names of the inventor or inventors after the filing date without an oath or declaration as prescribed by § 1.63, except in provisional applications.

§ 1.48 - for correcting inventorship, except in provisional applications.

§ 1.52(d) - for processing a nonprovisional application filed with a specification in a language other than English.

§ 1.53(b)(3) - to convert a provisional application filed under § 1.53(c) into a nonprovisional application under § 1.53(b).

§ 1.55 - for entry of late priority papers.

§ 1.71(g)(2) - to enter an amendment to the specification for purposes of 35 U.S.C. 103(c)(2) if not filed within the cited time periods

§ 1.99(e) - for processing a belated submission under § 1.99.

§ 1.103(b) - for requesting limited suspension of action, continued prosecution application (§ 1.53(d)).

§ 1.103(c) - for requesting limited suspension of action, request for continued examination (§ 1.114).

§ 1.103(d) - for requesting deferred examination of an application.

§ 1.217 - for processing a redacted copy of a paper submitted in the file of an application in which a redacted copy was submitted for the patent application publication.

§ 1.221 - for requesting voluntary publication or republication of an application. **Fee Code 1803**

§ 1.291(c)(5) - for processing a second or subsequent protest by the same real party in interest.

§ 1.497(d) - for filing an oath or declaration pursuant to 35 U.S.C. 371(c)(4) naming an inventive entity different from the inventive entity set forth in the international stage.

✓ § 3.81 - for a patent to issue to assignee, assignment submitted after payment of the issue fee.

Signature

Joseph R. Snyder

Typed or printed name

March 23, 2006

Date

39,381

Registration No., if applicable



19901A-00030005
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

KLChoi



101433466A

SEPTEMBER 29, 2000

PTAS

TOWNSEND AND TOWNSEND AND CREW LLP
KATHLEEN L. CHOI
TWO EMBARCADERO CENTER, 8TH FLOOR
SAN FRANCISCO, CA 94111-3834

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 06/23/2000

REEL/FRAME: 010991/0724
NUMBER OF PAGES: 8

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
YAMASHITA, NOBORU

DOC DATE: 05/24/2000

ASSIGNOR:
TAKAGI, AKIRA

DOC DATE: 05/24/2000

ASSIGNOR:
KATSUMA, MASATAKA

DOC DATE: 05/24/2000

ASSIGNOR:
SAITO, KATSUMI

DOC DATE: 05/24/2000

ASSIGNOR:
TAKAISHI, YUUKI

DOC DATE: 05/24/2000

ASSIGNOR:
YASUDA, TATSUO

DOC DATE: 05/24/2000

ASSIGNOR:
TAKAHASHI, YUTAKA

DOC DATE: 05/24/2000

RECEIVED
00 OCT 10 AM 9:49
TOWNSEND & TOWNSEND
& CREW

ASSIGNOR:
MITOMI, MITSUO

DOC DATE: 05/24/2000

ASSIGNOR:
HARA, MICHIO

DOC DATE: 05/25/2000

ASSIGNEE:
YAMANOUCHI PHARMACEUTICAL CO.,
LTD.
3-11, NIHONBASHI-HONCHO 2-CHOME,
CHUO-KU
TOKYO, JAPAN 103-8411

ASSIGNEE:
TORAY INDUSTRIES, INC.
2-1, NIHONBASHI-MUROMACHI 2-CHOME,
CHUO-KU
TOKYO, 103-8666, JAPAN

SERIAL NUMBER: 09582404
PATENT NUMBER:

FILING DATE: 06/23/2000
ISSUE DATE:

MARY BENTON, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

NRD 6/23/00 A/D

08-16-2000



09/582404
51 Rec'd PCT/PTG 23 JUN 2000
Office Docket No. 1994 PA 00030008

FORM PTO-1595 (Rev. 6-93)		101433466		U.S. Department of Commerce Patent and Trademark Office	
To the Honorable Asst. Commissioner for Patents. Please record the attached original documents or copy thereof					
1. Name of conveying party(ies): Noboru Yamashita; Akira Takagi; Masataka Katsuma; Katsumi Saito; Yuuki Takaishi; Tatsuo Yasuda; Yutaka Takahashi; Mitsuo Mitomi; Michio Hara Additional name(s) of conveying parties attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No.			2. Name and address of receiving party(ies) Name: Yamanouchi Pharmaceutical Co., Ltd. Internal Address: Street Address: 3-11, Nihonbashi-honcho 2-chome, Chuo-ku City: Tokyo State: Japan ZIP: 103-8411 Additional names and addresses attached? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other: Execution Date: May 24, 2000; May 25, 2000					
4. Application Number(s) or Patent Numbers. If this document is being filed together with a new application, the execution date of the application is: May 24, 2000; May 25, 2000 A. Patent Application No(s): B. Patent No(s): Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
5. Name and address of party to whom correspondence concerning document should be mailed: Name: Kathleen L. Choi TOWNSEND AND TOWNSEND AND CREW LLP Two Embarcadero Center, 8 th Floor San Francisco, California 94111-3834 (415) 576-0200			6. Total number of applications and patents involved 1 7. Total fee (37 CFR 3.41): -----\$40.00 <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Charge Fees to Deposit Account <input checked="" type="checkbox"/> Charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to deposit account. 8. Deposit account number: 20-1430		
DO NOT USE THIS SPACE					
9. Statement and signature. <i>To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true of copy of the original document.</i> Kathleen L. Choi Name of Person Signing Atty Reg. No. 43,433 Signature June 23, 2000 Date Total number of pages including cover sheet, attachments and document 7					
10. Change Correspondence Address to that of Part 5? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
OMB No. 0651-0011 (exp. 4/94)					
Do not detach this portion Mail documents to be recorded with required cover to: Asst. Commissioner for Patents Box: Assignments Washington, D.C. 20231					

1. Additional name(s) of conveying party(ies):
(Continued from Page 1)

2. Additional name(s) and address(es) of receiving party(ies):
(Continued from Page 1)

Toray Industries, Inc., of 2-1, Nihonbashi-muromachi 2-chome, Chuo-ku, Tokyo, 103-8666 Japan

3. Additional application number(s) or patent number(s):
(Continued from Page 1)

A. Patent Application No.(s)

B. Patent No.(s)

SF 1109094 v1

Attorney Docket No.: 019441-000300
Client Reference No. WA-0436 - US(PCT)
PCT/JP98/05915 (WO99/33490)

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Noboru Yamashita, Akira Takagi, Masataka Katsuma, Katsumi Saito, Yuuki Takaishi, Tatsuo Yasuda, Yutaka Takahashi and Mitsuo Mitomi, all of c/o Yamanouchi Pharmaceutical Co., Ltd., 180, Ozumi, Yaizu-shi, Shizuoka, 425-0072 Japan, and Michio Hara, 1714-73 Ouzenji, Asao-ku, Kawasaki-shi, Kanagawa-ken, 215-0013 Japan, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: **SUSTAINED RELEASE PHARMACEUTICAL COMPOSITIONS**

Date(s) of execution of Declaration: May 24, 2000; May 25, 2000

Filing Date: _____

Application No.: _____; and

WHEREAS, Yamanouchi Pharmaceuticals, Co., Ltd. located at 3-11, Nihonbashi-honcho 2-chome, Chuo-ku, Tokyo, 103-8411 Japan and Toray Industries, Inc., located at 2-1, Nihonbashi-muromachi 2-chome, Chuo-ku, Tokyo, 103-8666 Japan, hereinafter referred to as "ASSIGNEES," are desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignees all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignees and Assignees' successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignees, but at Assignees expense, (a) cooperate with Assignees in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignees lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignees, or Assignees' successors and assigns.

Assignor hereby authorizes and requests Townsend and Townsend and Crew LLP, Two Embarcadero Center, 8th Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application and date of execution of Declaration when known.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Date May 24, 2000

Noboru Yamashita

Noboru Yamashita

SIGNATURE WITNESSED BY:

(1) Date: May 24, 2000

Tomonari Tanaka
Tomonari TANAKA

Signature of Witness 1

(2) Date: May 24, 2000

Akiko Shinozuka

Akiko SHINOHARA
Signature of Witness 2

Date May 24, 2000

Akira Takagi

Akira Takagi

SIGNATURE WITNESSED BY:

(1) Date: May 24, 2000

Tomonari Tanaka
Tomonari TANAKA

Signature of Witness 1

(2) Date: May 24, 2000

Akiko Shinozuka

Akiko SHINOHARA
Signature of Witness 2

Date May 24, 2000

Masataka Katsuma
Masataka Katsuma

SIGNATURE WITNESSED BY:

(1) Date: May 24, 2000

Tomonari Tanaka
Tomonari TANAKA
Signature of Witness 1

(2) Date: May 24, 2000

Akiko Shinozawa
Akiko SHINOHARA
Signature of Witness 2

Date May 24, 2000

Katsumi Saito
Katsumi Saito

SIGNATURE WITNESSED BY:

(1) Date: May 24, 2000

Tomonari Tanaka
Tomonari TANAKA
Signature of Witness 1

(2) Date: May 24, 2000

Akiko Shinozawa
Akiko SHINOHARA
Signature of Witness 2

Date May 24, 2000

Yuuki Takaishi
Yuuki Takaishi

SIGNATURE WITNESSED BY:

(1) Date: May 24, 2000

Tomonari Tanaka
Tomonari TANAKA

Signature of Witness 1

(2) Date: May 24, 2000

Akiko Shinohara
Akiko SHINOHARA

Signature of Witness 2

Date May 24, 2000

Tatsuo Yasuda
Tatsuo Yasuda

SIGNATURE WITNESSED BY:

(1) Date: May 24, 2000

Tomonari Tanaka
Tomonari TANAKA

Signature of Witness 1

(2) Date: May 24, 2000

Akiko Shinohara
Akiko SHINOHARA

Signature of Witness 2

Date May 24, 2000

Yutaka Takahashi
Yutaka Takahashi

SIGNATURE WITNESSED BY:

(1) Date: May 24, 2000

Tomonari Tanaka
Tomonari TANAKA
Signature of Witness 1

(2) Date: May 24, 2000

Akiko Shinozuka
Akiko SHINOHARA
Signature of Witness 2

Date May 24, 2000

Mitsuo Mitomi
Mitsuo Mitomi

SIGNATURE WITNESSED BY:

(1) Date: May 24, 2000

Tomonari Tanaka
Tomonari TANAKA
Signature of Witness 1

(2) Date: May 24, 2000

Akiko Shinozuka
Akiko SHINOHARA
Signature of Witness 2

Assignment
Application No.:
Page 6

Attorney Docket No.: 019441-000300
Client Reference No. WA-0436 - US(PCT)
PCT/JP98/05915 (WO99/33490)

Date May 25, 2000

Michio Hara
Michio Hara

SIGNATURE WITNESSED BY:

(1) Date: May 25, 2000

Katsuaki Kojima
Katsuaki Kojima
Signature of Witness 1

(2) Date: May 25, 2000

Akira Mizusuna
Akira Mizusuna
Signature of Witness 2

1082628